

Appl. No. 10/536,885
Amdt. Dated April 1, 2011
Reply to Office action of February 1, 2011

REMARKS

THE STATUS OF THE CLAIMS.

Claims 1-5, 10, 18 and 21-23 are pending.

The sole remaining rejection is for alleged obviousness-type double patenting over commonly owned US Patent 7,663,021.

OBVIOUSNESS TYPE DOUBLE PATENTING—TERMINAL DISCLAIMER

Claims 1, 5, 10, 18 and 21-23 were rejected for alleged obviousness-type double patenting over commonly owned US Patent 7,663,021.

Without acquiescing to the rejection, Applicants provide herewith a terminal disclaimer over USP 7,663,021, in compliance with 37 C.F.R. 1.321. This overcomes the rejection, as helpfully suggested by the Examiner. The rejection must be withdrawn.

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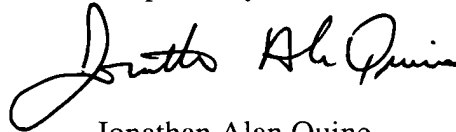
CONCLUSION

In view of the foregoing, Applicants believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the claims are deemed NOT to be in condition for allowance after consideration of this Response, a telephone interview with the Examiner is hereby requested. Please telephone the undersigned at (510) 337-7871 to schedule an interview.

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Respectfully submitted,



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Attachments:

- 1) A transmittal sheet;
- 2) A terminal Disclaimer over 7,663,021;
- 3) A fee transmittal sheet; and,
- 4) A receipt indication postcard.